



DEPARTMENT OF THE TREASURY

UNITED STATES MINT  
WASHINGTON, D.C. 20220

October 16, 2013

Mr. Jason Smathers  
MuckRock News  
DEPT MR 6680  
P.O. Box 55819  
Boston, MA 02205-5819

Dear Mr. Smathers:

This is in response to your September 9, 2013, request under the Freedom of Information Act (FOIA) for "all current interagency Memoranda of Understanding (MOU) or Memoranda of Agreement (MOA) between your agency and any other agency or department", which included a request for a FOIA fee waiver. You stated that disclosure of the records is in the public interest.

The FOIA's fee waiver standard, found at Title 5 of the United States Code (U.S.C.), Section 552(a) (4) (A) (iii), sets forth two basic requirements, both of which must be satisfied before fees properly assessable can be waived or reduced. First, it must be established that "disclosure of the {requested} information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government." Second, it must be established that "disclosure of the information ... is not primarily in the commercial interest of the requester." Where these two statutory requirements are satisfied, based upon information supplied by the requester or otherwise made known to the agency, the waiver or reduction of a FOIA fee is compelled by the statute and should be granted freely and promptly by the agency. Where one or both of these requirements is not satisfied, neither a fee waiver nor a reduction of fees is warranted under the statute. Our response to the first statutory requirement as it applies to your case follows:

As to whether disclosure of the requested information will contribute to public understanding, we have determined, based upon the wording of your request that disclosure of the subject documentation will not contribute to the understanding of the public at large, but rather to the individual understanding of the requester or a narrow segment of interested persons.

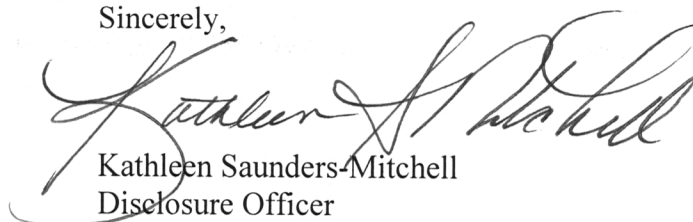
After having given full and careful consideration to the merits of your request, we have determined that a fee waiver is not warranted under 5 U.S.C., 552(a) (4) (A) (iii) and is, hereby, denied.

Should you disagree with this determination, you may appeal this decision within 35 days from the date of this letter. Your appeal must be in writing, signed by you, and should be addressed to: Mr. Richard A. Peterson, Deputy Director, United States Mint, 8<sup>th</sup> Floor, 801-9<sup>th</sup> Street, N.W., Washington, D.C. 20220. The appeal should include any supporting arguments as to why you believe the fee waiver should be approved.

Please note that as a representative of the news media, fees **are not** charged for research and review. Fees are charged in this category for duplication only – the first 100 pages are free. Duplication in excess of 100 pages is charged at a rate of \$.20 per page.

FOIA processing fees totaling **\$140.00** have been estimated for duplication costs of the requested documentation (i.e., approximately 800 pages of documentation – 100 pages of which are free.) In accordance with United States Mint policy, the estimated fees for duplication would have to be paid in advance before processing of your request is completed. Please make a check or money order payable to the **Treasury of the United States** and forward to my attention at the following address: United States Mint, 801-9<sup>th</sup> Street, N.W., Washington, D.C. 20220.

Sincerely,



Kathleen Saunders-Mitchell  
Disclosure Officer